

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BETTY J. ESTERS, *pro se*,

Case No. 05-72343

Plaintiff,

HONORABLE ARTHUR J. TARNOW

v.

MT. CLEMENS GENERAL HOSPITAL,

Defendant.

ORDER DISMISSING CASE AND DENYING OUTSTANDING MOTIONS [DE 20 & 21]

This matter comes before the Court on the Court's Order to Show Cause [DE 24] issued on August 6, 2007. Plaintiff was ordered to show cause why the case should not be dismissed.

While Plaintiff's *pro se* complaint should be liberally construed, *see Franklin v. Rose*, 765 F.2d 82, 84 (6th Cir.1985) (*per curiam*), this Court finds that Plaintiff has failed to show cause. Plaintiff brings her claim under Title VII of the Civil Rights Act of 1964, and has alleged Defendant discriminated against her because of a disability. Her failure to show cause results from the lack of any factual support for unlawful motivations on the part of the Defendant.

A plaintiff alleging discriminatory conduct by an employer must provide either direct or circumstantial evidence of that discrimination. *Stockman v. Oakcrest Dental Center, P.C.*, 480 F.3d 791, 800 (6th Cir. 2007). Here, the Plaintiff lost her job, but was re-instated with back pay within approximately two weeks. Her deposition testimony states that she could cite no evidence of discriminatory action by the Defendant on the basis of race, sex, age, or any other grounds, as required. *Id.*; *see also McDonnell-Douglas v. Green*, 411 U.S. 792 (1973).

Plaintiff never asked for any disability accommodation, let alone one which was denied. Nor does she provide any other suggestion that Defendant's actions were connected to her alleged disability. In sum, there is no support that the Defendant's actions resulted from any unlawful motivation, as required for an employment discrimination lawsuit under Title VII of the Civil Rights Act of 1964. Therefore,

IT IS ORDERED that Plaintiff's case be DISMISSED.

IT IS FURTHER ORDERED that all outstanding motions [DE 20 and 21] be DENIED AS MOOT.

S/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: August 28, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 28, 2007, by electronic and/or ordinary mail.

S/Catherine A. Pickles
Judicial Secretary